

# Tobacco Retailer Licensing

**What is tobacco retailer licensing?** The requirement for all businesses that sell tobacco products to purchase a license for the privilege of selling these products to consumers.



## AZ Fast Fact

Arizona is one of only 13 states that does not have a tobacco licensing registry.

### What is the underlying principle behind retailer licensing?

Retailers that sell tobacco products must comply with all tobacco laws or risk losing their license to sell tobacco.

### Why is retailer licensing important?

According to the 2013 Youth Risk Behavior Survey, 8.6% of high school students that smoke and were under the age of 18 reported buying their own cigarettes at a store or gas station. Studies have shown that decreasing access to tobacco products leads to a decrease in youth prevalence.

### What else can a Tobacco Retailer Licensing Law do?

Retailer Licensing laws can also promote other innovative policy solutions, control the location and density of tobacco retailers, and impose additional restrictions on the sale of other tobacco products like little cigars.

### Additional Considerations:

- Identifies all businesses selling tobacco to consumers.
- Aides in statewide surveillance activities.
- Creates a stronger financial deterrent than fines alone.

### Background

Tobacco use is the leading cause of preventable disease, disability, and death in the United States. In Arizona each year, 6,800 people will die from tobacco use, and overall tobacco use poses a cost burden in excess of \$3 billion in medical costs and job productivity. Tobacco use among youth is of particular concern, as 90% of current adult smokers started smoking regularly at age 18 or younger.

Arizona is one of a small minority of states that do not currently have a statewide tobacco retail license, and therefore do not have a complete list of all state tobacco retailers. As a result, in Arizona, any business with a license from DOR to pay sales tax can sell tobacco products. This makes it difficult to identify tobacco retailers. Enforcement agents currently identify retailers by driving down a street and entering businesses that appear to sell tobacco or are of a type that typically sell tobacco, such as a convenience store, liquor store, or pharmacy. However, in Arizona, a store that sells tires or furniture, a beauty salon, or a doughnut shop can legally also sell tobacco products. In fact, businesses matching all of the descriptions above have been found to have tobacco products for sale. Enforcement officers have no way of identifying these businesses without a community complaint. This makes it difficult to test compliance with tobacco laws.

Youth access to tobacco products is a serious public health concern. One study found that youth living in areas with the highest tobacco outlet density were 20 percent more likely to have smoked in the past month than those in areas with the lowest density<sup>1</sup>. By limiting the number and type of tobacco outlets that are able to sell tobacco products, youth access is limited as well, which leads to lower youth prevalence rates.

Establishing retailer licensing laws and annual fees sends the message that Arizona is serious about local and state tobacco retailer laws and there are serious consequences for those in violation. Tobacco retailers must take their responsibility seriously and our community must hold them accountable.

### Further information and resources

Arizona Smokers' Helpline  
**1-800-55-66-222** or **ASHLine.org**  
ASHLine provides free telephone and online quit coaching and free nicotine replacement therapies (NRT) to all Arizonans.

Centers for Disease Control and Prevention  
**cdc.gov/tobacco**  
An online source for credible health information, including basic information about the health effects of tobacco use, tobacco prevention and tobacco cessation resources.

Counter Tools  
**countertools.org**  
Counter Tools provides training, software tools, and technical assistance to public health workers who are working on point of sale tobacco control issues.



Bureau of Tobacco and Chronic Disease  
[www.tobaccofreearizona.com](http://www.tobaccofreearizona.com)

<sup>1</sup>Scott P. Novak et al., *Retail Tobacco Outlet Density and Youth Cigarette Smoking: A Propensity-Modeling Approach*, 96 AM. J. Pub. Health 670, 674 (2006).